

SERIAL NO. 09/214,047

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Amend claim 5 as follows.

c2. 5. (Twice amended) Therapeutical method for the treatment of a diseased state of a patient, comprising the steps of applying a magnetic tape as an electromagnetic memory to the skin of a patient, said tape comprising a bioresonance [signal] spectrum of a medical compound in a predetermined amplification, said spectrum being generated on the frequency range of 1 Hz to 150 Hz, amplified and recorded on said magnetic tape whereby the medical compound is applied for elimination of diseased state.

REMARKS

The present application has been carefully studied and amended in view of the outstanding Office Action dated October 5, 2000, and reconsideration of that Action is requested in view of the following comments.

A petition for a one-month extension of time accompanies this response together with the appropriate fee. Accordingly, the due date for response has been extended until February 5, 2001, and this response is therefore timely filed since it was deposited in the mail for First Class Delivery Service on the date certified on the front page hereof.

The informalities with respect to claims 4 and 5 have been carefully considered and appropriate claim changes have been made with respect to these informalities. As amended, all of pending claims are now believed to be in proper form and in full compliance with 35 USC §112.

One significant argument by applicant against the objections of the Examiner is Dillinger et al US 5,830,140 assigned on its face to Fur Holopathische Medizin which is also present in the bioresonance marketplace with the Quint apparatus.

The Quint apparatus differs from the usual bioresonance apparatus in generating a substance- or patient-signal, amplifying the electrical signal, and particularly digitalizing by means of a A/D-converter. The generated digital signal is stored in a electronic storage medium.

As the Quint system uses in practice the electronical storage of various substances as starting materials, the usual bioresonance apparatus must start with several hundreds of ampoules containing specific substances.

It is noted that Quint uses dead material, namely substances (e.g. col. 1, lines 19-23; col. 2, line 56; column 3, lines 45, 42 or lines 61-65; col. 4, lines 4 and 5 or line 25) as well as living entity (e.g. col. 4, lines 52 to col. 5, line 3).

In summary, the only difference between Quint and the usual bioresonance apparatus is the provision of a computer storage with various digital signals responsive to dead material (substances or medicaments) or living materials (patient-data which have been generated by the bioresonance type apparatus of Quint).

The entire process of Quint is described with the registration steps in col. 2, line 56 to col. 3, line 14. The reproduction method of the generated signal is described in col. 3, lines 15-39. One sees that only the steps A/D-conversion and back /D/A-conversion are new in that Quint concept over the bioresonance apparatus.

The bioresonance equipment itself is discussed in the opening part of the specification (col. 1, lines 33-39) and especially in col. 5, lines 16-19. The last mentioned paragraph reads as follows:

"Specific information for the individual planes can be obtained which can be therapeutically utilized in the same manner as with earlier bioresonance therapy."

Accordingly, the inventors of the Quint system clearly knew about the principal identity of their method for generating a resonance signal on the one side and treating a patient with the generated signal on the other side. As to the treatment of a patient, at least one electrode is used for the outputting of amplified analog signals (col. 3, lines 38 and 39).

Quint fails to disclose or suggest storing the electric signal on a magnetic tape as defined in claim 1 or placing that energized magnetic tape against the skin of a patient according to the treatment claim.

Quint also relates to an input device which is also an electrode of brass plate 2, which is of course a transducer as described in col. 5, lines 53 to 56.

In summary, the Dillinger reference uses the classical bioresonance apparatus with the additional introduction of a computer storage with a A/D-converter and a D/A-converter, respectively, before and behind that storage.

The present invention generally relates to the Quint apparatus but is different for generating a magnetic tape for storing the electrical signal with the first part of the

Dillinger apparatus or for the transfer of electronic data from said storage to his magnetic tape.

The Swiss-group arguments relate to the bioresonance treatment of children. That method is not used by the inventor herein, i.e. no bioresonance treatment is affected by the magnetic tape of the invention.

Applicant herein was provided evidence in his examples which cannot be compared with those of the Swiss-group, since the inventor used medical agents and the Swiss-group generated special therapy signals with its bioresonance apparatus.

It is again repeated that the bioresonance apparatus generates resonance signals at the resonator input vessel which are transferred to the output after amplification. Therefore, the inventor used the term "bioresonance" for the resonance signal of his dead material, since he used the same bioresonance apparatus as medical doctors treat their patients with their own signals.

With respect to Berner DE 3,419,055, present claim 1 is now limited to the recording of a certain electromagnetic spectrum on a magnetic tape which is completely different from Berner. Therefore, the Berner citation is overcome by these limitations.

Also, Whitson-Fischmann US 5,162,037 is no longer relevant since claim 1 comprises features of a recording process on the tape.

Finally, the combination of Dillinger and Whitson-Fischmann fails to suggest transference an analog, electrical signal within the range a 1 Hz to 150 Hz to a magnetic

tape and using that recorded magnetic tape for the treatment of patients with a certain pharmaceutical agent included in the resonance spectrum in that frequency area.

Dillinger uses a typical bioresonance apparatus with a digital storage between an analog input and an analog output of the apparatus. Therefore, Dillinger teaches away with his digital storing of electrical signals generated in a living or dead entity. In any case, an analog output electrode is used with Dillinger.

Whitson-Fischmann starts from a completely different idea with his patch by lining it near a selected acupuncture point. This has also nothing to do with a magnetic tape comprising a certain signal corresponding to a certain chemical compound.

Both Dillinger and Whitson-Fischmann use their own application by an electrode or by a patch which cannot be combined since their concepts are completely different as discussed above.

Accordingly, for the reasons expressed above, it is believed that the present application is in condition for allowance and early notice to that affect is respectfully requested.

Respectfully submitted,
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